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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/635,275	08/09/2000	James S. Hiscock	3117-US	4949

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3COM CORPORATION
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EXAMINER

DINH, KHANH Q

ART UNIT	PAPER NUMBER
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2151

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/19/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

09/635,275

Applicant(s)

HISCOCK ET AL.

Examiner

Khanh Dinh

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 December 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 21-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 21-31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. This is in response to the Amendment and Remarks filed on 12/12/2006. Claims 21-31 are presented for examination.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 21-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vannucci, USPN 5,459,727 in view of Ying, US pat. No.6,757,521.

As to claim 1, Vannucci discloses a data interface, comprising:

an enclosure having at least one jack (using Privet Branch Exchange PBX with jacks), the enclosure being configured for mounting within a wall cavity such that, after the enclosure is mounted within the wall cavity, the at least one jack is accessible from outside the wall (see fig.1, col.3 lines 12-49);

a user-side communication interface within the enclosure for connection to a personal data device over at least one wired communication connection via the at least one jack and for connection to the personal data device over at least one wireless communication connection (see col.4 lines 24-61 and col.5 lines 1-9),

an infrastructure-side communication interface within the enclosure for connection to a plurality of computer resources (radio stations), the infrastructure-side communication interface

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being communicably coupled to the user-side communication interface, such that the personal data device can communicate through the user-side communication interface and the infrastructure-side communication interface to at least one of the plurality of computer resources (see fig.2, col.5 lines 10-61); and

a data interface management processor within the enclosure and coupled to the user-side communication interface and the infrastructure-side communication interface and operative to provide information that is useful for a user to the personal data device about at least one of the wired and wireless communication connections between the personal data device (portable user device) and the user-side communication interface (providing with wireless/portable access to permit a user to roam freely over the area served by the wired PBX system, see col.2 lines 48-67, col.5 lines 1- 9 and col.6 line 59 to col.7 line 56).

Vannucci does not specifically disclose information provided in a form handled by the personal data device to communicatively inform said user sufficiently to enable at least diagnose of said at least one of the wired and wireless communication connections. However, Ying discloses information provided in a form handled by the personal data device to communicatively inform said user sufficiently to enable at least diagnose of said at least one of the wired and wireless communication connections (using the portable electronic diagnostic equipment constructed as a single, integrated device having both diagnostic functionality as well as wireless communication capability with the control network and the ground stations of the wireless diagnostic and control system, see abstract, fig.27, col.7 line 32 to col.8 line 47). It would have been obvious to one of the ordinary skill in the art at the time the invention was

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made to implement Ying's teachings into the computer system of Vannucci to diagnose a control network using a portable device because it would have monitored the position of portable wireless equipment used to diagnose the control network.

As to claim 22, Vannucci discloses the data interface of claim 21, wherein the information about the at least one of the wired and wireless communication connections comprises status information about the wired communication connection and the wireless communication connection between the personal communication device and the user-side communication interface (see col.7 line 57 to col.8 line 55).

As to claim 23, Vannucci discloses the data interface of claim 21, wherein the information about the at least one of the wired and wireless communication connections comprises at least one suggested corrective action that can be taken by a user of the personal data device to correct a problem detected by the data interface management processor in at least one of the wired and wireless communication connections (checking for errors in transferring data communication, see fig.3, col.7 line 45 to col.8 line 55 and col.9 lines 5-45).

As to claim 24, Vannucci discloses the data interface of claim 21, wherein the information about the at least one of the wired and, wireless communication connections comprises information about at least one error in at least one of the wired and wireless communication connections (checking for errors in transferring data communication, see fig.3, col.7 line 45 to col.8 line 55 and col.9 lines 5-45).

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As to claim 25, Vannucci discloses the data interface of claim 21, wherein the information about the at least one of the wired and wireless communication connections comprises information about at least one corrective action that has been taken to correct a problem in at least one of the wired and wireless communication connections (automatically switching over to a different station with a better path, see col.9 lines 5-57 and col.10 lines 8-44).

As to claim 26, Vannucci discloses the data interface of claim 21, wherein the data interface management processor is further operative to provide information to the personal data device about a communication connection between the infrastructure-side communication interface and at least one of the plurality of computer resources (see col.8 lines 6-55 and col.10 lines 8-57).

As to claim 27, Vannucci discloses the data interface of claim 26, wherein the information about the communication connection between the infrastructure-side communication interface and the at least one computer resource comprises status information about the communication connection between the infrastructure-side communication interface and the at least one computer resource (see fig.3, col.7 line 45 to col.8 line 55 and col.9 lines 5-45).

As to claim 28, Vannucci discloses the data interface of claim 26, wherein the information about the communication connection between the infrastructure-side communication interface and the at least one computer resource comprises information about at least one error in the

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communication connection between the infrastructure-side communication interface and the at least one computer resource (see fig.3, col.7 line 45 to col.8 line 55 and col.9 lines 5-45).

As to claim 29, Vannucci discloses the data interface of claim 27, wherein the information about the communication connection between the infrastructure-side communication interface and the at least one computer resource comprises information about at least one corrective action that has been taken to correct a problem in the communication connection between the infrastructure-side communication interface and the at least one computer resource (automatically switching over to a different station with a better path, see col.9 lines 5-57 and col.10 lines 8-44).

As to claim 30, Vannucci discloses the data interface of claim 27, wherein the information about the communication connection between the infrastructure-side communication interface and the at least one computer resource comprises an estimated time by which an error in the communication connection between the infrastructure-side communication interface and the at least one computer resource will be corrected (automatically switching over to a different station with a better path, see col.9 lines 5-57 and col.10 lines 8-44).

As to claim 31, Vannucci discloses the data interface of claim 21, wherein the data interface management processor is further operative to provide information to the personal data device about services available from the plurality of computer resources (see col.8 lines 6-55 and col.10 lines 8-57).

Response to Arguments

4. Applicant's arguments with respect to claims 21-31 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

6. Claims 21-31 are rejected.

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khanh Dinh whose telephone number is (571) 272-3936. The examiner can normally be reached on Monday through Friday from 8:00 A.m. to 5:00 P.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Zarni Maung, can be reached on (571) 272-3939. The fax phone number for this group is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



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